



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/590,002

07/09/2007

Joseph Deutsch

U 016454-5

7085

22852 7590 10/25/2011
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

WYCHE, MYRON

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

10/25/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 2617

Response to Arguments

Applicant's arguments filed 10/7/11 have been fully considered but they are not persuasive.

Applicant primarily argues that:

(1) Antilla et al. being programmable and selectable by the user does not correspond to creating a personalized structure of an ECG using personalized parameters received in an MMS message;

(2) Antilla et al. does not disclose: "employing a personalized MMS message to create and display an electronic content guide (ECG)"; and

(3) Antilla et al. does not disclose: "employing at least some the personalized parameters by the communication appliance to create a personalized structure of the ECG".

Regarding **arguments (1) – argument (3)**, Antilla et al. discloses:

[0042] In another embodiment of the invention, **interactions with the broadcast station server 18 may occur via short messaging service (SMS) and/or multimedia messaging service (MMS) messages. Accordingly, upon selection 50 of a bookmark, DTE 10 sends a message, such as an SMS text message, to server 18.** The SMS message (not shown) informs server 18 that DTE 10 has started listening to the radio station **and requests 54 associated data from the server. In response, server 18 sends one or more SMS or MMS messages to provide content feed** (emphasis added).

In particular, regarding the bookmarks, Antilla et al. further discloses:

[0037] ... radio **bookmarks 34 are stored in the memory 22, and may be programmed and selected by the user.** The radio bookmarks 34 generally **include handles or identifiers pointing to various resources such as files, Internet protocol (IP) addresses, uniform resource locators (URL), and the like. The bookmarks may also include parameters that further define the bookmarks** (emphasis added).

Based on the above, it is respectfully submitted that: "handles or identifiers" and "parameters that further define the bookmarks" being "programmed and selected by the user", as disclosed in paragraph [0037]; and upon selection of a bookmark, sending a message "such as an SMS text message, to server 19" (or MMS message), as disclosed in paragraph [0042] of Antilla et al. discloses:

Counter to argument (1): "creating a personalized structure of an ECG using personalized parameters received in an MMS message".

Art Unit: 2617

In addition, it is respectfully submitted that: the “selection 50 of a bookmark, DTE 10 sends a message, such as an SMS text message” (or MMS message) and that the “server 18 sends one or more MMS message to provide content feed” (i.e., where the electronic content guide (ECG) corresponds to the “content feed”) as disclosed in paragraph [0042] of Antilla et al. discloses:

Counter to argument (2): “employing a personalized MMS message to create and display an electronic content guide (ECG)”; and

Counter to argument (3): “employing at least some the personalized parameters by the communication appliance to create a personalized structure of the ECG”.

would clearly be considered as “employing a personalized MMS message to create and display an electronic content guide”.

/Myron Wyche/

10/20/11

Patent Examiner

AU 2617